

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ERIC ESSHAKI, as candidate for US Congress and in his Individual capacity, Plaintiff,	Case No. 2:20-CV-10831-TGB-EAS Hon. TERRENCE G. BERG Ma. ELIZABETH A. STAFFORD
vs.	

GRETCHEN WHITMER, Governor of
Michigan, JOCELYN BENSON, Secretary
of State of Michigan, and JONATHAN
BRATER, Director of the Michigan
Bureau of Elections, in their official
capacities,

Defendants.

DECLARATION OF INTERVENING PLAINTIFF MATT SAVICH

Intervening Matt Savich ("Savich") hereby makes the following
declaration pursuant to the Court's directive made during the hearing on
April 23, 2020 requiring the Plaintiffs to respond to 5 judicial inquiries:

1. **QUESTION 1** (Nominating petition signatures as of March 23, 2020). Response: As of the March 23, 2020, Savich, a candidate for the bench on the 47th Judicial District Court had in his possession 219 of the statutorily required 400 signatures on his ballot petitions. This is the number of signatures Savich had when he filed his Motion to Intervene in this case on April 14, 2020. Subsequent to April 14, 2020, Savich received an additional 30 ballot signatures that were signed on or before March 23, 2020 but not received by Savich until after the motion hearing on April 15, 2020, bringing the total signatures as of March 23, 2020 to 249. Savich has obtained additional ballot signatures, with his total as of April 21, 2020 (the original filing deadline) standing at 326.
2. **QUESTION 2** (Signature total as of April 21, 2020). Response: On April 21, 2020, Savich filed ballot petitions with 326 signatures, of which Savich estimated that 300 were valid (i.e.---signers properly registered to vote in within the 47th District). However, based on the statements made in today's hearing indicating a typical error rate of 20%, the number of valid signatures as of April 21, 2020 would be approximately 260, well short of the statutorily requirement of 400

valid signatures to place Savich on the ballot for the August primary election.

3. **QUESTION 3** (Whether a mail in campaign was attempted).

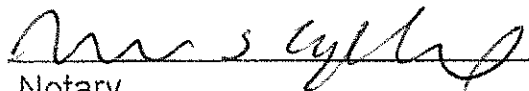
Response: Savich did not request ballot signatures via the US Postal Service (USPS). He sought guidance from the Secretary of State (SOS) elections office via email on April 9, 2020 (attached as Exhibit 1) after discovering that a candidate for circuit court was obtaining signatures through such a method. Savich had concerns about the legality of obtaining signatures through in this manner and sought input from the SOS. The SOS's office never responded to Savich's email inquiry and, as a result, he did not attempt to obtain signatures via mail.

4. **QUESTION 4** (Cost of mail-in ballot campaign). Response: N/A.

5. **QUESTION 5** (Rate of return for mail-in campaign). Response: N/A.



Matt Savich


Notary
Dated 4-23-2020

MICHAEL SEAN CAFFERTY
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE

MY COMMISSION EXPIRES Nov 14, 2024
ACTING IN COUNTY OF WAYNE

(Witnessed Remotely via
EO 2020-41)

Respectfully submitted,

Michael S. Cafferty & Associates, P.C.

By: /s/ Michael S. Cafferty
Michael S. Cafferty (P36613)
Attorney for Plaintiff
333 W. Fort St., Suite 1400
Detroit, Michigan 48226
(313) 964-3070
mcaff@aol.com

April 23, 2020

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2020 I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all ECF participants.

Michael S. Cafferty

/s/ Michael S. Cafferty

EXHIBIT 1



Matt Savich <mattsavichesq@gmail.com>

URGENT Ballot Signature issue

1 message

Matt Savich <mattsavichesq@gmail.com>

To: "SOS, Elections" <Elections@michigan.gov>

Thu, Apr 9, 2020 at 12:44 PM

Dear Elections,

Since the COVID Pandemic and the Orders by the Governor regarding handling the Pandemic, I have been trying to get information on how I can collect signature to get on the ballot without violating the law/orders.

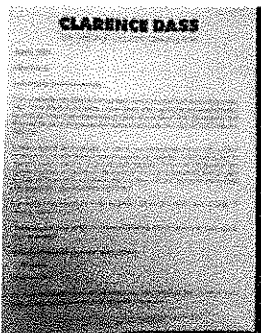
Another person running for Judge has been sending letters with the nominating petition ballot form asking people to sign and return.

I do not believe this is appropriate as the circulators need to witness the signature. Can you tell me if the Elections Division has approved this form of solicitation?

Thank you.

MATT SAVICH
ATTORNEY AT LAW
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Novi, Michigan 48375
O(248)344-2293
F(248)888-8498
C(586)817-4290

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